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## Land Management and Means of Planning Control

*Centralized versus decentralized, and planning led versus market led approaches - a global European overview and the case of Denmark*

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# Land management and means of planning control

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## The content



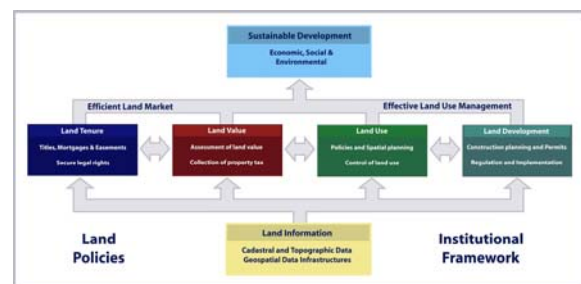
- The land management paradigm is complex and highly interdisciplinary. This paper attempts to build an overall understanding.
- This paper is not an attempt of to do a comparative analysis of the maturity or completeness of the planning systems in the European countries.
- It attempts to identify some general characteristics and to discuss some key issues such as a centralized versus a decentralized approach and a plan led versus a market led approach. Some general trends are identified in these areas.
- Finally the paper presents the Danish system as an example of a decentralized and plan led approach to spatial planning.

## The land management paradigm



Land Management is the processes by which the resources of land (the natural and built environment) are put into good effect.

## A global land management perspective



A Global Land Management Perspective: Stig Enemark, April 2004.

## The cultural perspective

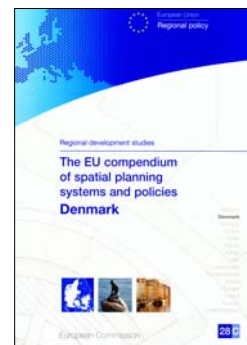


Uncertainty avoidance:  
The preference of structured situations over unstructured or flexible ones

Power distance:  
The degree of inequality among people accepted by the population

Geert Hofstede (2001).

## Spatial planning systems - the European perspective



## Major traditions of spatial planning in Europe

- The regional economic planning approach
  - Spatial planning as a policy tool to pursue wide social and economic objectives, especially in relation to disparities in wealth, employment, and social conditions between different regions of the country (France)
- The comprehensive integrated approach
  - Spatial planning is conducted through a systematic and formal hierarchy of plans at central, regional, and local level (Denmark, the Netherlands).
- The land use management approach
  - Planning as a technical discipline which a focus on the control of change of use of land (UK - town and country planning)
- The urbanism approach
  - Key focus on architectural flavour and urban design (Mediterranean countries).

## Spatial Planning Systems

### - The European Perspective

	Close (there is a close relationship between the objectives of the system and what happens in practice)	Distant (there is a distant relationship between the objectives and the reality of the system)
Discretionary (Departures to plans can be made)	UK	
Moderate (Mechanisms exist for departures to plans to be made)	Denmark Finland Ireland Netherlands	Belgium Portugal
Committed (no discretion for decisions to be made contrary to plans and policies)	Austria France Germany Luxembourg Sweden	Greece Italy Spain

## Centralisation versus decentralisation

- Decentralisation in EU to the most local level
  - Experienced in most European countries (maybe except France)
  - Varies in terms of centralisation versus deconcentration of power
- The principle of subsidiarity
  - Solving the problems at lowest possible level
  - This should produce efficient service, better use of local knowledge, greater participation and democracy, increased popular consent, and political stability
- Think global - act local
  - A decentralised decision making process is assumed to produce the right decision in relation to local needs
  - Land use planning then becomes a part of local politics

## Centralisation versus decentralization

### Local level authorities in Europe

Member State	Type of local authority	Number	Average population
France (Metropole)	Communes	36,558	1,550
Luxembourg	Communes	118	3,300
Österreich	Gemeinden	2,300	3,000
España	Municipalities	8,077	4,800
Deutschland	Gemeinden	16,040	5,000
Italia	Comuni	8,102	7,000
Suomi-Finland	Kunnat/Kommuner	454	11,000
Belgique-België	Gemeente/Communes	589	17,000
Danmark	Municipalities	276	20,000
Nederland	Gemeentes	647	23,000
Sverige	Kommuner	288	30,000
Portugal	Câmaras	305	34,000
Ireland-Éire (2)	Districts	88	40,000
United Kingdom	Districts	483	119,000
Eλλάς (3)	Prefecture	54	190,000

(1) Where there is more than one level of local authority (for example the UK) the table refers to the level with primary responsibility for local level instruments. The average gives an indication only of the size of units responsible.  
 (2) There is a significant range in Ireland with 49 urban planning areas having an average population of only 9,100.  
 (3) Local government in Greece has very limited planning powers. The prefecture is the lowest tier to which plan making powers are decentralised although in exceptional cases some powers have been delegated to municipalities.

## A plan led versus a market led approach

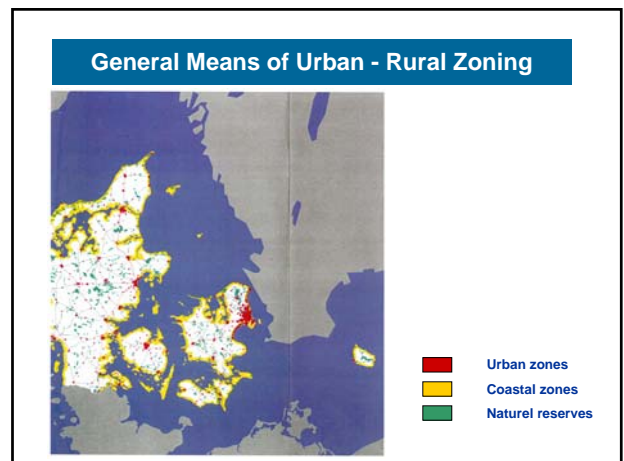
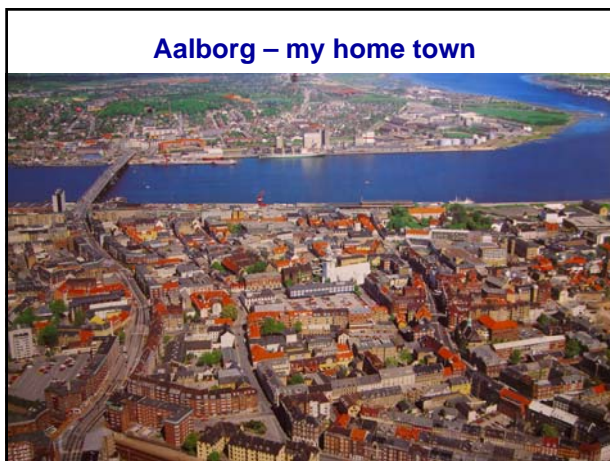
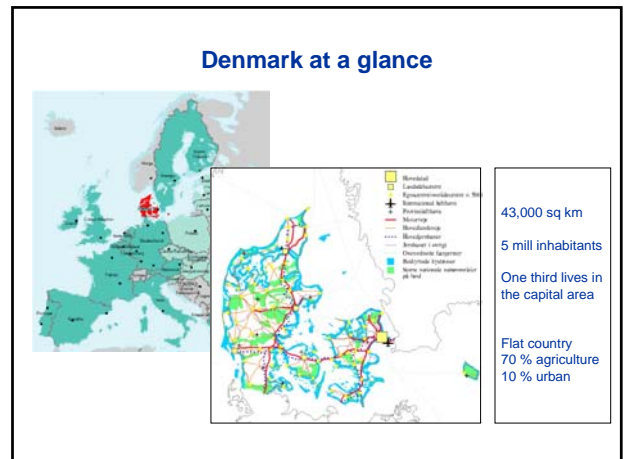
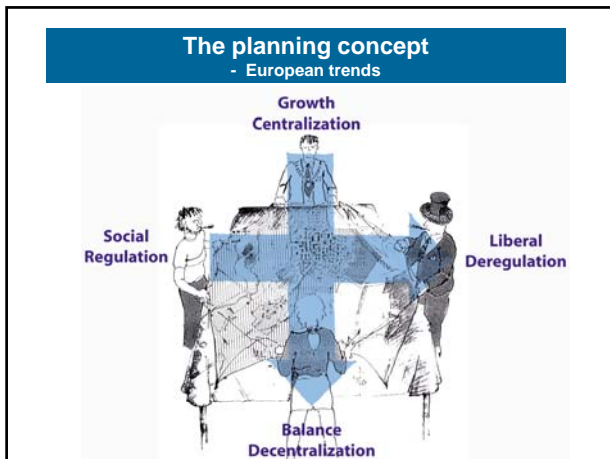
### A plan led approach - DK

Planning Regulations	Political decision	Desirable	Undesirable
Conforming with planning regulation		Permission May be subject to a local plan	Prohibition
Not conforming with planning regulations		Adjustment	Refusal

It is possible to ensure that undesirable development does not occur; but it can not be ensured that desirable development actually happens at the right place and the right time.  
 The planning regulations are mainly restrictive – not proactive

## A market led approach – UK

- Local development plans are prepared to control conflicts between development and protection
  - All developments needs advanced consent – planning permission
  - not legally binding
  - departures may be permitted if justified
- Any relevant matter can be considered when deciding on development proposals
  - the development plan is seen as only one consideration
  - the system is more open to market forces
- Rights to appeal to central government where permission to develop is refused
  - More than 26 000 appeal each year – on third are successful in overturning the original decision by the local planning authority





## Framework control in DK - a decentralised approach

### National planning

The Minister establishes the overall framework through guidelines and directives

### Local plans

More than 30.000 plans have been prepared since 1977

### Regional plans

The 12 regions revise their regional plans every 4th. year

### Municipal plans

The 275 municipalities revise their plans every 4th. year

Framework control:

Planning at lower levels must not contradict planning decision at higher levels.

## Public Participation



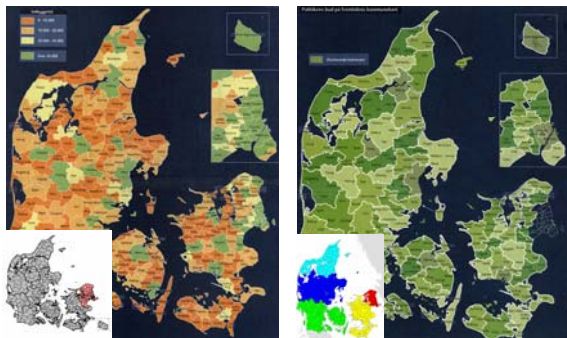
2 periods of public hearings, 8 weeks:

- 1<sup>st</sup> period concerns strategies, ideas and alternatives

- 2<sup>nd</sup> period concerns the planning proposal

The plans are adopted by the regional and local authorities themselves – and there is opportunity for appeal against the content of the plans.

## Planning responsibilities - new administrative structure



## Administrative reform and planning responsibilities



Now

### National planning

12 Regional plans

271 Municipal plans

1200 Local plans per year

1<sup>st</sup> January 2007

### Enforced national planning

5 Regional development plans

ca. 100 Municipal plans

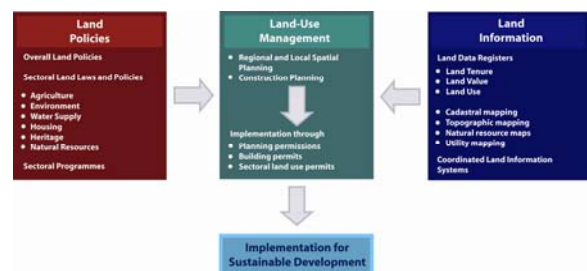
1200 Local plans per year

Transition period 2006-2009

## A decentralised approach

- Based on democratic ideals such as to establish a local representative democracy responsible for serving local needs
  - expectations of prosperity and a balanced control towards sustainability
- Finely tuned impact between central and local government deciding on development proposals
  - mix of vertical and horizontal connections within the various sectors
  - means of monitoring, dialogue, and the national power of veto
- The purpose is to solve the tasks at the lowest possible level – planning is politics
  - Combining responsibility for decision making with accountability for financial and economic consequences

## Integrated land-use management - a plan led approach





**Thanks  
for your  
attention**